

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

The City Council convened in Regular Session on Tuesday, December 5, 2006, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with the President of the Council Bob Kneemiller, presiding and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Mark Brown, Dottie Greer, Bob Hoepfner, Joe Koester, Larry Muench, Rory Riddler, and Michael Weller. Councilmember John Gieseke arrived during the Public Hearing as reported in the record. Absent: Jerry Reese. The City Clerk, Marilyn K. McCoy, was present and performed the duties of that office.
File #46376

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

A motion was made by BOB KNEEMILLER to excuse the absence of Vice President of the Council Jerry Reese. DOTTIE GREER seconded the motion. All voted in favor, motion passed.

A motion was made by BOB KNEEMILLER to advance the *Entertainment by the Madrigal Singers (Lindenwood University)* on the agenda. LARRY MUENCH seconded the motion. All voted in favor, motion passed.

Entertainment by the Madrigal Singers (Lindenwood University)

The Lindenwood University Madrigal Singers performed two songs; specifically, “*Flaming Pudding Carol*” and “*Dublin Bell Carol*”. Mayor Patricia M. York announced that the Madrigal Singers Dinner will be held on December 9, 2006, and December 10, 2006, at 6:30 p.m.; and that tickets are available by calling 636-949-5408.

PUBLIC HEARINGS

The President of the Council Bob Kneemiller announced that the following Public Hearings would now be held. At the conclusion of the hearings, the Regular Session continued with the order of business.

- A. Case No. Z-30-06. An application to establish zoning for property in the process of being voluntarily annexed into the City of St. Charles. The property is located at 117 Kunze Drive. The existing zoning in unincorporated St. Charles County is R1E Single-Family Residential District (7,000 sq. ft. minimum lot size). This application seeks to rezone the property to the City R-1E Single-Family Residential District (7,000 sq. ft. minimum lot size) upon annexation. The property will be located in Ward 3 when annexed. (*Council Bill 9162*)
- B. Case No. Z-31-06. An application to establish zoning for property in the process of being voluntarily annexed into the City of St. Charles. The property is located at 1031 Meadow Lane. The existing zoning in unincorporated St. Charles County is R1E Single-Family Residential District (7,000 sq. ft. minimum lot size). This application seeks to rezone the property to the City R-1E Single-Family Residential District (7,000 sq. ft. minimum lot size) upon annexation. The property will be located in Ward 6 when annexed. (*Council Bill 9159*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

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- C. Case No. Z-26-06. An application to establish zoning for property in the process of being voluntarily annexed into the City of St. Charles. The property is located at 130 Shady Lane. The existing zoning in unincorporated St. Charles County is R1E Single-Family Residential District (7,000 sq. ft. minimum lot size). This application seeks to rezone the properties to the City R-1E Single-Family Residential District (7,000 sq. ft. minimum lot size) upon annexation. The properties will be located in Ward 3 -when annexed. **(RCA Attached)** *(Council Bill will be introduced at a later meeting)*
- D. Case No. Z-32-06. An application to establish zoning for property in the process of being voluntarily annexed into the City of St. Charles. The property is located at 715 Hemsath Road. The existing zoning in unincorporated St. Charles County is R1E Single-Family Residential District (7,000 sq. ft. minimum lot size). This application seeks to rezone the property to the City R-1E Single-Family Residential District (7,000 sq. ft. minimum lot size) upon annexation. The property will be located in Ward 3 when annexed. *(Council Bill 9161)*
- E. Case No. Z-33-06. An application to establish zoning for property in the process of being voluntarily annexed into the City of St. Charles. The property is located at 800 Pralle Lane. The existing zoning in unincorporated St. Charles County is R-1E Single-Family Residential District (7,000 sq. ft. minimum lot size). This application seeks to rezone the property to the City R-1D Single-Family Residential District (9,000 sq. ft. minimum lot size) upon annexation. The property will be located in Ward 3 when annexed. *(Council Bill 9160)*
- F. Nomination of property located at 403 South Sixth Street as a local historic landmark. The property, approximately .18 acre, is zoned R-2, Two-Family Residential District. The building on the property is a steel-framed Lustron home constructed in 1948. There are very few Lustron homes in the St. Louis metropolitan area and in St. Charles. (Ward 2) *(Council Bill 9171)*
- G. Case No. CU-24-06 Huster Road RV Storage (Warren Korth). The applicant proposes to install an outdoor storage lot on 3.04 acres in the I-1, Light Industrial, zoning district. The property is located at the northwest corner of Huster Road and Highway 370. (Ward 8) **(RCA Attached)**
- H. Case No. CU-25-06 Commerce Bank (Robin Drive Inv., LLC). The applicant proposes to install a 3,147 square foot bank with drive-thru facilities on 1.3 acres in the I-1, Light Industrial, zoning district. The property is located on the east side of Elm Street between Elm Point Road and Elm Point Industrial Drive. (Ward 8) **(RCA Attached)**
- I. Case No. DR-03-06. An application to amend Chapter 156: Zoning Code of the Code of Ordinances of the City of St. Charles, Missouri, specifically Section 156.178, pertaining to permitted uses in the Planned Development-Riverfront zoning district, and Section 156.180 pertaining to design standards in the Planned Development-Riverfront zoning district. *(Council Bill 9105)*

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

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- J. Case No. DR-04-06. An application to amend Chapter 156: Zoning Code of the Code of Ordinances of the City of St. Charles, Missouri, specifically Section 156.102, pertaining to installation of fences on the side of the building on corner lots. (*Council Bill 9170*)
- K. Case No. DR-05-06. An application to amend Chapter 156: Zoning Code of the Code of Ordinances of the City of St. Charles, Missouri, specifically Section 156.033, pertaining to permitted uses in the C-2 General Business zoning district, and Section 156.005 modifying the definition for Adult Day Care Home. (*Council Bill 9169*)
- L. Case No. DR-06-06. An application to amend Chapter 156: Zoning Code, of the Code of Ordinances of the City of St. Charles, Missouri, specifically Section 156.064, pertaining to the Residential Permit Parking District process and designation guidelines. (*Council Bill 9104*)
- M. A proposed ordinance of the City of St. Charles, Missouri amending the Code of Ordinances by creating and inserting a new chapter to be known as Chapter 158, Sexually Oriented Business Regulations, for the purpose of dispersing sexually oriented businesses and limiting them to specified zone districts; prescribing definitions of sexually oriented businesses; providing for additional miscellaneous regulations for sexually oriented businesses; and for an effective date thereof. (*Council Bill 9140*)
- O. First Amended Petition to establish a community improvement district and authorize a sales tax pursuant to Sections 67.1401 - 67.1571 of the Revised Statutes of Missouri to be known as The Elm Point Commons Community Improvement District (*Council Bill 9174*)
- P. Petition to establish a community improvement district and authorize a sales tax pursuant to Sections 67.1401 - 67.1571 of the Revised Statutes of Missouri to be known as The Zumbahl Road/Highway 94 Community Improvement District (*Council Bill 9175*)
- Q. Case No. DR-01-06. An application to amend Chapter 156: Zoning Code, of the Code of Ordinances of the City of St. Charles, Missouri, specifically Section 156.728, pertaining to unauthorized signs, by adding an exemption for a cross or flowers placed along a right-of-way as a memorial. (*Council Bill 9095*)

RESOLUTIONS/AWARDS/PROCLAMATIONS

A Resolution Adopting and Approving Written Procedures Relating to Bids and Proposals for Implementation of Redevelopment Projects Under the Real Property Tax Increment Allocation Redevelopment Act (*Sponsor: Mark Brown*)

Passed "Aye": Muench, Riddler, Weller, Brown, Gieseke, Greer, Kneemiller, and Koester
"Nay": None
Absent: Reese and Hoepfner

Approved by the Honorable Mayor on December 14, 2006, and is known as **Resolution R06-19**

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

A Resolution for the Reorganization of the Existing Façade Grant Improvement Program
(Sponsor: *Rory Riddler*)

Director of Community Development Bruce Evans responded to an inquiry of Councilmember Dottie Greer that the City Center encompasses the area at the triangle of Droste/Duchesne/West Clay; and further clarified that the Resolution eliminates this area from the Façade Grant Improvement Program because there had been no applications received for this area. A motion was made by RORY RIDDLE to amend the Resolution to include the City Center Area (Duchesne/West Clay/First Capitol Triangle), and the South Old Highway 94 Corridor in the Façade Grant Improvement Program. LARRY MUENCH seconded the motion. All voted in favor, motion passed. A roll call vote was taken on the Amended Resolution, with the following results:

<i>Passed</i>	"Aye":	Riddler, Weller, Brown, Gieseke, Greer, Hoepfner, Kneemiller, Koester, and Muench
	"Nay":	None
	Absent:	Reese

Approved by the Honorable Mayor on December 14, 2006, and is known as **Resolution R06-20**

A Resolution Directing the City to Pursue Legal Action to Declare Senate Bills 272 and 462 as Unconstitutional Special Laws (*Sponsors: John Gieseke and Joe Koester*)

Passed "Aye": Riddler, Brown, Gieseke, Greer, Kneemiller, and Koester
 "Nay": Weller and Hoepfner
 Absent: Muench and Reese

Vetoed by the Honorable Mayor on December 15, 2006.

Presentation by Robert Sandfort Relative to the Books Published by the St. Charles
County Historical Society

Robert Sandfort, St. Charles County Historical Society, presented recently published books entitled *Westering River*, *Westering Trail* and *Heritage Treasures* to Mayor York and Councilmembers; and stated that the books are available for purchase at various bookstores in the area, the Boathouse, and the St. Charles County Historical Society.

PUBLIC COMMENT RELATIVE TO AGENDA ITEMS

Council Bill 9069 Prohibiting Nuisance Motor Vehicles Parked on Repair Lots for More than Thirty Days and Permitting the Towing of Abandoned Vehicles After Forty-Eight Hours of Notice Thereof

Patrick Hughes, Just Corvette, 3500 Little Hills Expressway, spoke in opposition to Council Bill 9069.

Mark Hiatt, Mid America Mustang, 444 Little Hills Industrial Blvd., spoke in opposition to Council Bill 9069.

A motion was made by RORY RIDDLE to advance Council Bill 9069 on the agenda. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

Bill 9069 (Amended)

An Ordinance Amending Chapter 90 of the Code of Ordinances by Prohibiting Nuisance Motor Vehicles Parked on Repair Lots for More than Thirty Days and Permitting the Towing of Abandoned Vehicles After Forty-Eight Hours of Notice Thereof (*Sponsor: Rory Riddler*)

A motion was made by RORY RIDDLER to amend Council Bill 9069, as follows: (1) amend the first sentence of Section 90.02(B)(1) to read as follows: "Any vehicle enclosed within a building on private property, or stored behind a solid fence of not less than 6 feet in height at a legally conforming business operating in the appropriate business zone." (2) amend Section 90.05(B) to read as follows: "(B) *Content of notice.* The notice shall direct removal, and the notice shall advise that upon failure to comply with the notice to remove within forty-eight hours may result in a citation for violation of the City Code for each day the vehicle remains, and that upon failure to comply with the notice to remove within forty-eight hours, the Chief of Police or the Chief's designee may undertake such removal at the cost of the registered owner of the vehicle." (3) add a subsection (D) to Section 90.02 to read as follows: "(D) As used throughout this Chapter, the terms "operable condition" and "working order" shall be defined as a vehicle that will start and operate under its own power. The term "occupant of the private property" shall include a tenant or manager of the business legally operating on the property." BOB KNEEMILLER seconded the motion. All voted in favor, motion passed.

John Hoffman, Jacs Automotive, 1513 North Second Street, thanked the Staff for working with the automotive businesses on this issue.

PUBLIC COMMENT RELATIVE TO CITY ISSUES

Phillip Dese, 2512 Gallaher, voiced concern that the promoter of the recent gun show at the Convention Center was told that he could not pay for the parking in lieu of collecting from the attendees.

City Administrator Allan Williams responded to an inquiry of Councilmember Dottie Greer that the gun show promoter was contacted. Councilmember Greer requested that Dr. Williams provide the specific conversation held with the gun show promoter.

RECESS AND RECONVENE

A motion was made by MARK BROWN to recess the Regular Council Meeting at 8:45 p.m. LARRY MUENCH seconded the motion. All voted in favor, motion passed. The Regular Council Meeting reconvened at 9:00 p.m., with the City Council convened in Regular Session on Tuesday, December 5, 2006, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with the President of the Council Bob Kneemiller, presiding and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Mark Brown, John Gieseke, Dottie Greer, Bob Hoepfner, Joe Koester, Larry Muench, Rory Riddler, and Michael Weller. Absent: Jerry Reese.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

BILLS FOR FINAL PASSAGE

Bill 9029 (*Substitute Bill No. 2*) (*Held*)

An Ordinance Amending Chapter 113 of the Code of Ordinances by Adding a New Section 113.19 Pertaining to a Refund of Electricity License Fees Invoked by Section 113.15 to Elderly and Totally Disabled Residents; Providing Procedures for Application; Computation of Refund; Limitations on Benefits and Funding; And Adding a New Section 113.03 Pertaining to the Maximum Dollar Amount of Refund per Calendar Year

(*Sponsor: Bob Hoepfner*)

Council Bill 9029 was held by Sponsor Bob Hoepfner.

Bill 9069 (*Amended*)

An Ordinance Amending Chapter 90 of the Code of Ordinances by Prohibiting Nuisance Motor Vehicles Parked on Repair Lots for More than Thirty Days and Permitting the Towing of Abandoned Vehicles After Forty-Eight Hours of Notice Thereof (*Sponsor:*

Rory Riddler)

In addition to the motion made previously to Council Bill 9069, as reported in this record, an additional motion was made by RORY RIDDLER to amend Council Bill 9069, to add a subsection (3) to Section 90.02(B) to read as follows: "90.02(B)(3) Any vehicle that is in working order and in an operable condition, whether or not the vehicle displays a current Missouri license plate, upon which the owner or occupant of the private property where the vehicle is located has obtained or has initiated the process to obtain a mechanic's lien. Upon the request of the Director of Community Development or his or her representative, the owner or occupant of the property where the vehicle is located shall be required to provide written documentation to verify that a mechanic's lien has either been obtained or has been applied for. Copies of said documentation must be kept on the dashboard of the vehicle for ready inspection by Department of Community Development personnel. In the event said documentation is not provided, the notice procedures stated in Section 90.05(D) shall apply." LARRY MUENCH seconded the motion. All voted in favor, motion passed.

Bill 9095 (*Supplemental RCA*)

An Ordinance Amending Section 156.728 of the Code of Ordinances Pertaining to Unauthorized Signs (*Sponsor: John Gieseke*)

Passed "Aye": Weller, Brown, Gieseke, Greer, Hoepfner, Kneemiller, Koester, Muench, and Riddler

"Nay": None

Absent: Reese

Approved by the Honorable Mayor on December 14, 2006, and is known as **Ordinance 06-341**

Bill 9099 (*Held*)

An Ordinance Repealing Ordinance No. 05-316 of the City of St. Charles, Missouri and Enacting a New Ordinance Providing for the Compensation for Officers and Employees of the City (*Sponsor: John Gieseke*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

Council Bill 9099 was held by Sponsor John Gieseke; and referred to the Council Work Session and Special Council Meeting scheduled for December 12, 2006, for further discussion. Councilmember John Gieseke requested that the amount budgeted for the increase in employee and retiree health insurance for calendar year 2007 be provided.

Bill 9104 (Supplemental RCA)

An Ordinance Amending Section 156.064 of the Code of Ordinances Pertaining to RPPD Residential Permit Parking District (*Sponsor: Rory Riddler*)

Mayor Patricia M. York voiced concern at the \$1.00 fee per registered vehicle. Councilmember Rory Riddler suggested that the issue of the fee be brought forward for Council consideration at a future date.

Passed "Aye": Weller, Brown, Gieseke, Greer, Hoepfner, Kneemiller, Koester, Muench, and Riddler
"Nay": None
Absent: Reese

Approved by the Honorable Mayor on December 14, 2006, and is known as **Ordinance 06-329**

Bill 9105 (Held)

An Ordinance Amending Section 156.178 of the Code of Ordinances Pertaining to Permitted Uses in the Planned Development-Riverfront Zoning District and Section 156.180 of the Code of Ordinances Pertaining to Design Standards in the Planned Development-Riverfront Zoning District (*Sponsor: Rory Riddler*)

Council Bill 9105 was held pending the Public Hearing scheduled for December 19, 2006.

Bill 9108 (Held)

An Ordinance Repealing Ordinance No. 06-215 Providing Compensation for Council Members (*Sponsor: John Gieseke*)

Council Bill 9108 was held by Sponsor John Gieseke.

Bill 9120 (Amended)

An Ordinance Adopting a Budget for the City for the Period from January 1, 2007 to December 31, 2007, and Appropriating Money in the City Treasury to Pay the Cost of Operating the City Government During That Period in Accordance with the Budget (*Sponsors: Bob Kneemiller & Rory Riddler*)

President of the Council Bob Kneemiller outlined several proposed changes to Council Bill 9120 which will be discussed at the Council Work Session scheduled for December 12, 2006. A motion was made by MARK BROWN to amend Council Bill 9120 by amending the Capital Improvement Funds to combine SW-3 Stormwater Improvement Projects and SW-4 Creekbank Stabilization Projects; and allocate the combined funds to the existing funds for the Thomas Stormwater Project and the Pearl Ridge Stormwater Project. JOHN GIESEKE seconded the motion. Discussion was held relative to the motion, including discussion relative to the Thomas Stormwater Project and the Pearl Ridge Stormwater Project. All voted in favor, motion passed.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

Council Bill 9120 was referred to the Council Work Session and the Special Council Meeting scheduled for December 12, 2006, for further discussion and possible amendment.

Bill 9140

An Ordinance of the City of St. Charles, Missouri, Amending the Code of Ordinances of the City of St. Charles, Missouri, by Creating and Inserting a New Chapter to be Known as Chapter 158 Sexually Oriented Business Regulations, for the Purpose of Dispersing Sexually Oriented Businesses and Limiting Them to a Specified Zone District; Prescribing Definitions of Sexually Oriented Businesses; Providing for Additional Miscellaneous Regulations for Sexually Oriented Businesses; and for an Effective Date Thereof (*Sponsor: Bob Kneemiller*)

Passed "Aye": Weller, Brown, Gieseke, Greer, Hoepfner, Kneemiller, Koester, Muench, and Riddler
"Nay": None
Absent: Reese

Approved by the Honorable Mayor on December 14, 2006, and is known as **Ordinance 06-330**

Bill 9141 (Held)

An Ordinance Authorizing Amendment No. 1 to the Contract with The Snap Group to Provide Additional Design Services for the St. Charles Convention and Visitors Bureau in an Amount of \$5,000.00, for a Total Amount Not to Exceed \$105,000.00 (*Sponsor: Rory Riddler*)

Discussion was held relative to the establishment of a new logo for the Convention and Visitors Bureau. Council Bill 9141 was held by Sponsor Rory Riddler.

Bill 9142

An Ordinance Authorizing a STP-Urban Program Agreement with the Missouri Highways and Transportation Commission to Provide STP Funding for the West Clay and First Capitol Drive Intersection Realignment Project (*Sponsors: Joe Koester, John Gieseke, Larry Muench, Jerry E. Reese, Rory Riddler*)

Passed "Aye": Weller, Brown, Gieseke, Greer, Hoepfner, Kneemiller, Koester, Muench, and Riddler
"Nay": None
Absent: Reese

Approved by the Honorable Mayor on December 14, 2006, and is known as **Ordinance 06-331**

Bill 9143

An Ordinance Authorizing a STP-Urban Program Agreement with the Missouri Highways and Transportation Commission to Provide STP Funding for the South Main Street Repairs (Boone's Lick to Reservoir) Project (*Sponsors: Joe Koester, John Gieseke, Larry Muench, Jerry E. Reese, Rory Riddler*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

Passed "Aye": Weller, Brown, Gieseke, Greer, Hoepfner, Kneemiller, Koester, Muench, and Riddler
"Nay": None
Absent: Reese

Approved by the Honorable Mayor on December 14, 2006, and is known as **Ordinance 06-332**

Bill 9144

An Ordinance Authorizing a Congestion Mitigation and Air Quality Agreement with the Missouri Highways and Transportation Commission to Provide CMAQ Funding for the Route 94 and Zumbahl Road Intersection Project (*Sponsors: Joe Koester, John Gieseke, Larry Muench, Jerry E. Reese, Rory Riddler*)

Passed "Aye": Weller, Brown, Gieseke, Greer, Hoepfner, Kneemiller, Koester, Muench, and Riddler
"Nay": None
Absent: Reese

Approved by the Honorable Mayor on December 14, 2006, and is known as **Ordinance 06-333**

Bill 9145

An Ordinance Authorizing Supplemental Agreement No. 1 to the Contract with Farnsworth Group, Inc. for the South Main Street Reconstruction Project (Boone's Lick Road South to Reservoir Street) in an Amount of \$15,100.00 for a Total Contract Amount Not to Exceed \$57,600.00 (*Sponsors: Joe Koester, John Gieseke, Larry Muench, Jerry E. Reese, Rory Riddler*)

Passed "Aye": Weller, Brown, Gieseke, Greer, Hoepfner, Kneemiller, Koester, Muench, and Riddler
"Nay": None
Absent: Reese

Approved by the Honorable Mayor on December 14, 2006, and is known as **Ordinance 06-334**

Bill 9146

An Ordinance Authorizing Change Order No. 2 to the Contract with Pace Construction Company, LLC for the Runnymede Bridge Replacement Project in an Amount of \$66,000.00, for a Total Contract Amount Not to Exceed \$606,740.20 (*Sponsors: Joe Koester, John Gieseke, Larry Muench, Jerry E. Reese, Rory Riddler*)

Passed "Aye": Weller, Brown, Gieseke, Greer, Hoepfner, Kneemiller, Koester, Muench, and Riddler
"Nay": None
Absent: Reese

Approved by the Honorable Mayor on December 14, 2006, and is known as **Ordinance 06-335**

Bill 9147

An Ordinance Authorizing a Contract with the Historic Downtown Association for the Sponsorship of the 2006 Christmas Traditions North Main in an Amount Not to Exceed \$20,000.00 (*Sponsor: Rory Riddler*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

A separate vote was taken on Council Bill 9147, with the following results:

Passed "Aye": Brown, Gieseke, Hoepfner, Kneemiller, Koester, Muench,
Riddler, and Weller
"Nay": Greer
Absent: Reese

Approved by the Honorable Mayor on December 14, 2006, and is known as **Ordinance 06-336**

Bill 9148

An Ordinance Authorizing Acceptance as Provisional Streets King Drive and Certain Unnamed Alleys in Forest Hills (*Sponsors: Joe Koester, John Gieseke, Larry Muench, Jerry E. Reese, Rory Riddler*)

Passed "Aye": Weller, Brown, Gieseke, Greer, Hoepfner, Kneemiller, Koester,
Muench, and Riddler
"Nay": None
Absent: Reese

Approved by the Honorable Mayor on December 14, 2006, and is known as **Ordinance 06-337**

Bill 9150

An Ordinance Approving the Record Plat for The New Town at St. Charles Plat Six, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: John Gieseke*)

Passed "Aye": Weller, Brown, Gieseke, Greer, Hoepfner, Kneemiller, Koester,
Muench, and Riddler
"Nay": None
Absent: Reese

Approved by the Honorable Mayor on December 6, 2006, and is known as **Ordinance 06-328**

BILLS FOR INTRODUCTION

The following Council Bills were introduced:

Bill 9151

An Ordinance Repealing Sections 1, 3 and 5 of Ordinance 00-79 and Enacting a New Ordinance Providing Compensation for the Mayor (*Sponsor: Rory Riddler*)

Councilmember Dottie Greer requested that City Attorney Michael Valenti draft a Council Bill establishing the Mayor's salary at \$70,000 in 2007; and \$72,000 in 2009. Councilmember Rory Riddler requested that the Mr. Valenti draft an amendment to Council Bill 9151 to include benefits similar to department directors to be considered at the Special Council Meeting scheduled for December 12, 2006.

Bill 9152 (Amended Prior to Introduction)

An Ordinance Amending Ordinance Number 05-312 by Amending Certain Revenue, Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2006 (Budget Amendment No. 6) (*Sponsor: Bob Kneemiller*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

A motion was made by RORY RIDDLE to amend Council Bill 9152 by adding \$50,000 for the public art project. LARRY MUENCH seconded the motion. A voice vote was taken, and President of the Council Bob Kneemiller announced that the motion passed. Councilmember Dottie Greer voted "Nay".

Bill 9153

An Ordinance Authorizing a Contract with Xyquad, Inc. for the Purchase and Installation of a CCTV System at City Hall and Parking Garage in an Amount Not to Exceed \$61,548.73 (*Sponsor: Bob Kneemiller*)

Council Bill 9153 was referred to the Public Safety Committee Meeting scheduled for December 19, 2006; and to the Council Work Session scheduled for January 9, 2007, for further discussion.

Bill 9154

An Ordinance Authorizing a Contract with Arthur J. Gallagher Risk Management Services, Inc., to Place Various Lines of Insurance Coverage and for Claim Administration Service in an Amount Not to Exceed \$689,917.00 (*Sponsor: Bob Kneemiller*)

Bill 9155

An Ordinance Annexing Certain Adjacent Contiguous Territories into the City of Saint Charles, Missouri, and Assigning the Properties to a Designated Ward of the City Being Lands Petitioned for Annexation by Sharon Kay Prokovich (1031 Meadow Lane) (*Sponsor: Jerry Reese*)

Bill 9156

An Ordinance Annexing Certain Adjacent Contiguous Territories into the City of Saint Charles, Missouri, and Assigning the Properties to a Designated Ward of the City Being Lands Petitioned for Annexation by Kenneth L. and Izell E. Giles (800 Pralle Lane) (*Sponsor: Mark Brown*)

Bill 9157

An Ordinance Annexing Certain Adjacent Contiguous Territories into the City of Saint Charles, Missouri, and Assigning the Properties to a Designated Ward of the City Being Lands Petitioned for Annexation by Kevin and Susan Schaefer (715 Hemsath Road) (*Sponsor: Mark Brown*)

Bill 9158

An Ordinance Annexing Certain Adjacent Contiguous Territories into the City of Saint Charles, Missouri, and Assigning the Properties to a Designated Ward of the City Being Lands Petitioned for Annexation by Walter W. and Susan M. Burns (117 Kunze Drive) (*Sponsor: Mark Brown*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

Bill 9159

An Ordinance Rezoning to City Zoning District R-1E (Single-Family Residential District) from County Zoning District R-1E (Single-Family Residential District), a Parcel of Land Located at 1031 Meadow Lane (*Sponsor: Jerry Reese*)

Bill 9160

An Ordinance Rezoning to City Zoning District R-1D (Single-Family Residential District) from County Zoning District R-1E (Single-Family Residential District), a Parcel of Land Located at 800 Pralle Lane (*Sponsor: Mark Brown*)

Bill 9161

An Ordinance Rezoning to City Zoning District R-1E (Single-Family Residential District) from County Zoning District R-1E (Single-Family Residential District), a Parcel of Land Located at 715 Hemsath Road (*Sponsor: Mark Brown*)

Bill 9162

An Ordinance Rezoning to City Zoning District R-1E (Single-Family Residential District) from County Zoning District R-1E (Single-Family Residential District), a Parcel of Land Located at 117 Kunze Drive (*Sponsor: Mark Brown*)

Bill 9163

An Ordinance Authorizing a Contract with the St. Louis Post Dispatch for Publication Services for the City of St. Charles in an Amount Not to Exceed \$16,638.78 (*Sponsor: Bob Kneemiller*)

Bill 9164

An Ordinance Amending Section 31.03 of the Code of Ordinances Pertaining to Official Oath and Bond (*Sponsor: John Gieseke*)

Bill 9165

An Ordinance Authorizing Amendment No. 1 to the Contract with the Law Office of Stephen A. Martin for Providing Additional Legal Services Related to Sewer Condemnation for the 48" Sanitary Sewer Replacement Project in an Amount of \$150,000.00, for a Total Amount Not to Exceed \$244,000.00 (*Sponsor: Bob Kneemiller*)

Bill 9166

An Ordinance Authorizing a Contract with Lou Fusz Chevrolet for the Purchase Of One (1) 2007 Chevrolet Silverado CR 10753 4 x 4, 1/2 Ton Extended Cab Pickup Truck for the Community Development Department in an Amount Not to Exceed \$23,223.10 (*Sponsor: Bob Kneemiller*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

Bill 9167

An Ordinance Amending Section 155.02 of the Code of Ordinances of the City of Saint Charles, Relocation Assistance, to Adopt Revisions Consistent with Recent Amendments Adopted by the Missouri General Assembly to Chapter 523 of the Revised Statutes of Missouri, as Amended (*Sponsor: Mark Brown*)

Bill 9168

An Ordinance Authorizing a Renewal Contract with BG Service Solutions for Janitorial Services for City Hall, Senior Center, Criminal Justice Facility and Convention and Visitor Bureau from January 1, 2007 to December 31, 2007 in an Amount Not to Exceed \$83,875.00 (*Sponsor: Jerry Reese*)

Bill 9169

An Ordinance Amending Chapter 156 of the Code of Ordinances by Amending Sections 156.005, 156.030(B)(6) and 156.033(B)(1) Pertaining to Adult Day Care Facility (*Sponsor: John Gieseke*)

Bill 9170

An Ordinance Amending Section 156.102 of the Code of Ordinances Pertaining to Fences (*Sponsor: Bob Kneemiller*)

Councilmember Bob Kneemiller referred Council Bill 9170 to the Council Work Session scheduled for December 12, 2006, for further discussion.

Bill 9171

An Ordinance Designating the Property Located at 403 South Sixth Street as a Local Historic Landmark (*Sponsor: Larry Muench*)

Bill 9172

An Ordinance Authorizing an Intergovernmental Cooperation Agreement Between the City of St. Charles and St. Charles County Sheriff's Department (*Sponsor: Mark Brown*)

Bill 9173

An Ordinance Amending Section 3 of Ordinance No. 05-316 and Exhibit F as Referenced in Section 6 of Ordinance 05-316 by Amending Position Classifications and Salary Ranges in the Non-Exempt Position Series and Amending the Department Director Position Series (*Sponsor: Bob Hoepfner*)

Bill 9174

An Ordinance Approving the First Amended Petition for the Establishment of the Elm Point Commons Community Improvement District; Establishing the District as a Political Subdivision of the State of Missouri; Authorizing and Directing the Mayor to Execute a

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

First Amended Cooperative Agreement; and Directing the City Clerk to Notify the Missouri Department of Economic Development of the Creation of the District (*Sponsor: John Gieseke*)

Bill 9175

An Ordinance Approving the Petition of Zumbahl Road/Highway 94 Community Improvement District; Establishing the Zumbahl Road/Highway 94 Community Improvement District; Finding a Public Purpose; Approving the Appointment of the Initial Board of Directors; Approving and Authorizing a Cooperation Agreement; and Containing a Severability Clause (*Sponsor: Bob Kneemiller*)

Bill 9176

An Ordinance Approving the Record Plat of Tuscany, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Mark Brown*)

Bill 9177

An Ordinance Approving the Record Plat for The New Town at St. Charles Plat One-A-1, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: John Gieseke*)

A motion was made by BOB KNEEMILLER to suspend Council Rule 10 to extend the Regular Council Meeting past 10:00 p.m. RORY RIDDLER seconded the motion. All voted in favor, motion passed.

CONSENT AGENDA

Councilmember John Gieseke removed *Item 8.B.3.c Public Utilities Committee Meeting of November 9, 2006 (c. Motion to Direct Staff to Negotiate the Purchase of 3033 Mockingbird)* from the Consent Agenda. Councilmember Michael Weller removed *Item 8.E.1 Contract with Tech Electronic, Inc. for Purchase and Installation of a Mitel Phone System for the Elm Point Water Plant in an Amount not to Exceed \$37,087.42* from the Consent Agenda. Councilmember Dottie Greer removed *Item 8.G.3 Approval of Legal Services Agreement Pursuant to Ordinance No. 04-195 - Contract with Cunningham, Vogel & Rost to Act as Special Counsel for Proposed Chapter 353 RSMo. Redevelopment Project with Trinity Products* from the Consent Agenda. A motion was made by RORY RIDDLER to receive and approve the balance of the consent agenda. LARRY MUENCH seconded the motion. A roll call vote was taken with the following results: "Aye": Gieseke, Greer, Hoepfner, Kneemiller, Koester, Muench, Riddler, and Weller. "Nay": None. Absent: Reese. Abstain: Brown. Motion passed.

- A. Approval of Council Minutes
None
- B. Receipt and/or Approval of Council Committee Reports
 - 1. Council Work Session of December 13, 2005

File #46246

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

File #46246	2.	Council Work Session of January 10, 2006
File #46246	3.	Council Work Session of February 13, 2006
File #46246	4.	Council Work Session of April 11, 2006
File #46246	5.	Council Work Session of May 9, 2006
File #46246	6.	Council Work Session of May 30, 2006
File #46246	7.	Council Work Session of June 13, 2006
File #46246	8.	Council Work Session of September 12, 2006
File #46246	9.	Council Work Session of September 26, 2006
File #46246	10.	Council Work Session of October 10, 2006
File #46246	11.	Council Work Session of October 24, 2006
File #46246	12.	Council Work Session of November 14, 2006
	13.	Convention Center Oversight Committee Meeting of September 26, 2006
	a.	Pay \$2200 Guarantee Electric Repair of march 2006 and not hold Woodcliffe Nursery Responsible for Damages
	b.	Award Bid for Two Safes to Dungarees in the Amount of \$1,490 with Delivery and Bolt Down Costs of \$745 as Presented
	c.	Issue Formal Bid for a 40' x 60' Stage
	d.	Award Bid for Monument Sign Base (Corner of Beverly and Veterans Memorial) to Masonry Works in the Amount of \$5500 as Presented
	e.	Award Bid for Pre-Function Furniture (II) to Working Spaces in the Amount of \$17,421.94 as Presented
	f.	Award Bid for 8 EX500 Motorola Portable Radios with Microphone, Belt Clip, Pouch and Antenna in the Amount of \$6956 to St. Louis Electronics as Presented
	g.	Award Bid for 3 Steelcase 47541M Guest Chairs in the Amount of \$551.46 Each to Color-Art as Presented
	h.	Award Bid for Waste Receptacles for the Pre-Function Areas to Renard Paper in the Amount of \$7516.20 as Presented
	i.	Award Bid for 20 Waste Receptacles for Exhibit Hall to HP Products in the Amount of \$3695.80 as Presented

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

File #46175

- j. Award Ballroom Sound System Upgrade to Slocombe and Associates in the Amount of \$2493.20 as Presented
- 14. Convention Center Oversight Committee Meeting of October 24, 2006
 - a. Award Bid for Cam-Lock Dance Floor system and Caddy to SICO in the Amount of \$6535 as Presented
 - b. Award Bid for Kitchenwares 1 to B & J Peerless in the Amount of \$2399 as Presented
 - c. Award Bid for Kitchenwares 2 to Ford Hotel Supply in the Amount of \$2045.29 as Presented
 - d. Award Bid for Mobile Stand and Bowl to Ford Hotel Supply in the Amount of \$867.85 as Presented
 - e. Award Bid for Two Mobile Security Carts-large to US Foods Service in the Amount o \$1670 as Presented
 - f. Award Bid for Three Mobile Security Carts-Small to Ford Hotel Supply in the Amount of \$2296.80 as Presented
 - g. Award Bid for Cash Register System of F & B to Cardinal Business Equipment Company in the Amount of \$34,942.80 as Presented

Councilmember Dottie Greer noted, for the record, that there was an audit of the Convention Center performed.

File #46175

- 15. Public Utilities Committee Meeting of November 9, 2006
 - a. Approval of the On-Site Construction Permit for the Hineman Woods Estates Developer
 - b. Motion to Extend the Huster Road Water Main Line 364 Linear Feet at the Additional Cost of \$20,000
 - c. Motion to Direct Staff to Negotiate the Purchase of 3033 Mockingbird

REMOVED FROM CONSENT AGENDA

- d. Motion that the City Assume Responsibility for the Three Sanitary Lift Stations at Charlestowne Plat 1

File #46102

- C. Receipt of Reports from Boards, Commissions or Committees
 - None

- D. Receipt of City Administrators Reports

File #46149

- 1. Informational Memorandum Dated December 1, 2006

- 2. Report of the City Administrator Relative to Wage/Benefit Options for Employees

File #46377

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

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3. Report Relative to the Government Affairs Contracted Services (Lobbyist)
– RFP #3331

File #46378

E. Approval of Contracts and Easements from \$20,000 - \$50,000

1. Contract with Tech Electronic, Inc. for Purchase and Installation of a Mitel Phone System for the Elm Point Water Plant in an Amount not to Exceed \$37,087.42

REMOVED FROM THE CONSENT AGENDA

2. Supplemental Agreement with EFK Moen, LLC for General Additional General Engineering Services for 2006/2007 in an Amount not to Exceed \$9,750; Total Contract Amount is \$29,250

File #46379

3. Contract with Ameren UE for Streetlighting for the North Fifth Street Extension in the Amount of \$42,680.70

File #46380

F. Preliminary Plats None

G. Miscellaneous

1. Receipt of the Audit Report for the St. Charles Riverfront Community Improvement District for the Fiscal Year Ending December 31, 2005

File #46381

2. Receipt of the Audit Report for the St. Charles Riverfront Transportation Development District for the Fiscal Year Ending December 31, 2005.

File #46382

3. Approval of Legal Services Agreement Pursuant to Ordinance No. 04-195 - Contract with Cunningham, Vogel & Rost to Act as Special Counsel for Proposed Chapter 353 RSMo. Redevelopment Project with Trinity Products

REMOVED FROM CONSENT AGENDA

ITEMS REMOVED FROM THE CONSENT AGENDA

Item 8.B.3.c Public Utilities Committee Meeting of November 9, 2006 (c. Motion to Direct Staff to Negotiate the Purchase of 3033 Mockingbird)

Councilmember John Gieseke inquired as to the reason for purchasing the property.

Councilmembers Rory Riddler responded that the cost for the creek improvements was in excess of the value of the property. Councilmember Bob Hoepfner suggested referring this issue back to the Public Utilities Committee for further discussion; and suggested inviting the engineering firm to the Committee Meeting.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

Item 8.E.1 Contract with Tech Electronic, Inc. for Purchase and Installation of a Mitel Phone System for the Elm Point Water Plant in an Amount not to Exceed \$37,087.42

Councilmember Michael Weller requested that the contract with Tech Electronic, Inc. be held pending receipt of additional information from Staff.

Councilmember Joe Koester left the meeting at this time.

Item 8.G.3 Approval of Legal Services Agreement Pursuant to Ordinance No. 04-195 - Contract with Cunningham, Vogel & Rost to Act as Special Counsel for Proposed Chapter 353 RSMo. Redevelopment Project with Trinity Products

Councilmember Dottie Greer voiced concern relative to tax abatements. City Attorney Michael Valenti responded to an inquiry of Councilmember Michael Weller that the approval of the contract with Cunningham, Vogel & Rost does not approve the tax abatement; and that the cost of the contract will be paid by Trinity rather than the City. A motion was made by BOB KNEEMILELR to approve the Legal Services Agreement with Cunningham, Vogel & Rost to Act as Special Counsel for Proposed Chapter 353 RSMo. Redevelopment Project with Trinity Products. RORY RIDDLEL seconded the motion. A roll call vote was taken, with the following results: "Aye": Hoepfner, Kneemiller, Muench, Riddler, Weller, and Gieseke. "Nay": Greer and Brown. Absent: Koester and Reese. Motion passed.

File #46383

REPORT OF THE MAYOR

Budget Amendment No. 6 (Council Bill 9152)

The Honorable Mayor Patricia M. York outlined the items included in Budget Amendment No.6.

Appointments to Boards and Commissions

The Honorable Mayor Patricia M. York reported, in accordance with the Laws of the State of Missouri and the Code of Ordinances of the City of St. Charles, Missouri, that the following appointment was made to the Housing Authority Board: Diane Burke to fill the unexpired term of Karen Graham ending October, 2009

A motion was made by RORY RIDDLEL to approve the following appointments to Boards and Commissions as presented by the Honorable Mayor Patricia M. York:

North 94 Redevelopment and Revitalization Commission: Appointment of Martha Brown to fill the unexpired term of Howard Rosenthal ending April, 2008.

Planning and Zoning Commission: Appointment of Mark A. Hopkins for a three year term.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Hoepfner, Kneemiller, Muench, Riddler, Weller, Brown, Gieseke, and Greer. "Nay": None. Absent: Koester and Reese. Motion passed.
File #46099

Update on the City's Christmas Festivities

The Honorable Mayor Patricia M. York gave an update on the following Christmas activities: Holiday Concert given by Councilmembers Rory Riddler and Larry Muench, Los Pasados, and Shopping on Main Street.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Response to Items Brought Forward Under Report of the Mayor

Councilmember Rory Riddler stated that the Holiday Concert held on Tuesday, November 28, 2006, at The Foundry Art Center for residents of Wards One and Two was a success. Councilmember Rory Riddler announced that the Christmas Tree in the Council Chambers was one of the trees decorated as part of the Celebration of Trees sponsored by Habitat for Humanity.

Councilmember Dottie Greer left the meeting at this time.

Monthly Report by Fire Chief Ernie Rhodes

A presentation was given by Fire Chief Ernie Rhodes relative to the monthly activities of the Fire Department, including emergency preparedness in light of the recent ice storm.

Councilmember Rory Riddler announced that an item will be discussed at the Council Work Session scheduled for December 12, 2006, relative to implementing a program to distribute carbon monoxide detectors.

Discussion Relative to Elimination of the City Administrator Position and Assistant to City Administrator Position and Establishment of the Director of Administration Position to Comply with the City Charter Effective April, 2007

Councilmember Bob Hoepfner referred this item to the Council Work Session scheduled for December 12, 2006.

Discussion Relative to the Veteran's Display at the Depot

Councilmember Bob Hoepfner encouraged residents to view the Veteran's Display at the Depot.

Discussion Relative to Traffic Calming on Sherborn and Indian Hills

Councilmember John Gieseke stated that the Ward Eight Discretionary Funding will be used for traffic calming on Sherborn as recommended by the Public Works Department; and that he will discuss the traffic calming on Indian Hills further with Staff.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

Discussion Relative to Installation of Pedestrian Walkway Signal on Fairgrounds Adjacent to Jaycee Village

Councilmember Larry Muench requested that the cost of a pedestrian walkway signal on Fairgrounds adjacent to Jaycee Village be provided.

Announcement Regarding Last Week's Snow Removal

City Administrator Allan Williams gave a report relative to the snow removal as a result of last week's storm; and discussion ensued. It was suggested that an item be placed on the next Street Committee Meeting to discuss the needs of the Public Works Department relative to snow removal.

File #46384

TABLED BILLS

There was no action taken on the following tabled items:

Bill 8973

An Ordinance Authorizing a Cooperation Agreement with The Foundry Art Center for the Administration and Presentation of a Bronze Historic Figure Exhibit Program in the Amount of \$50,000 (*Sponsor: Rory Riddler*) (***Tabled at the July 11, 2006, Special Council Meeting***)

Public Hearing: Case No. Z-22-06. An application to rezone four (4) adjoining properties located at 1028, 1030, 1034 and 1038 South Main Street from the HCD Historic Commercial District to the PD-R Planned Development-Riverfront District. The properties are lots 7, 8, 9 and 10 of City Block 21. In conjunction with the rezoning, the Commission will consider a preliminary development plan for the property. The preliminary development plan proposes the construction of Katy Trail Lofts, a mixed-use condominium and retail building containing retail uses on the ground floor and 66 condominium units on the upper floors. (Ward 2) (***Tabled Indefinitely at the November 7, 2006, Regular Council Meeting – Public Hearing will Require Notice Prior to Conducting of Public Hearing***)

APPROVAL OF CLOSED MINUTES

Approval of the following Closed Minutes was referred to the Regular Council Meeting scheduled for December 21, 2006:

- A. Special Council Meeting of April 26, 2005, relative to confidential or privileged communications between a public governmental body and its auditor, including all auditor work product (RSMo. 610.021.17); and hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3)
- B. Regular Council Meeting of November 15, 2005, relative to legal actions, causes of action, or litigation (RSMo 610.021.1); and hiring, firing, disciplining or promoting of

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

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- particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3)
- C. Special Council Meeting of January 28, 2006, relative to legal actions, causes of action, or litigation (RSMo 610.021.1); and hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3)
- D. Regular Council Meeting of March 7, 2006, relative to legal actions, causes of action, or litigation (RSMo 610.021.1)
- E. Regular Council Meeting of June 6, 2006, relative to legal actions, causes of action, or litigation (RSMo 610.021.1); hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3); and preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9)
- F. Special Council Meeting of June 13, 2006, relative to legal actions, causes of action, or litigation (RSMo 610.021.1); hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3); and preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9)
- G. Council Work Session of June 13, 2006, relative to hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3)
- H. Regular Council Meeting of June 20, 2006, relative to legal actions, causes of action, or litigation (RSMo 610.021.1); and hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3)
- I. Council Work Session of July 11, 2006, relative to preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9)
- J. Regular Council Meeting of July 25, 2006, relative to hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3); and preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9)
- K. Regular Council Meeting of August 8, 2006, relative to legal actions, causes of action, or litigation (RSMo 610.021.1); and hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3)
- L. Regular Council Meeting of September 19, 2006, relative to legal actions, causes of action, or litigation (RSMo 610.021.1); hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3); preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

December 5, 2006

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- 610.021.9); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12)
- M. Council Work Session of September 26, 2006, relative to legal actions, causes of action, or litigation (RSMo 610.021.1) (5:30 p.m.)
 - N. Council Work Session of September 26, 2006, relative to leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2) (7:00 p.m.)
 - O. Council Work Session of October 10, 2006, relative to legal actions, causes of action, or litigation (RSMo 610.021.1); and preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9)

CLOSED SESSION

A roll call vote was taken to adjourn into Closed Session relative to hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3); with the following results: "Aye": Kneemiller, Muench, Riddler, Weller, Brown, Gieseke, and Hoepfner. "Nay": None. Absent: Koester, Reese, and Greer. Motion passed.

The Open Portion of the Regular Council Meeting was adjourned at 11:05 p.m.

Date Approved

City Clerk

Bob Kneemiller, Presiding Officer